

Entered - 10/27/03 - sb  
CL - 03L0845 LISA CARTER

CLAIM OF: MANOJ MAJMUNDAR  
2380 Metropolitan Parkway  
Atlanta, Georgia 30315

04-R -1538

For property damages alleged to have been sustained when an unknown driver refused to stop for police and struck the claimant's fence on August 24, 2003 at 2380 Metropolitan Parkway.

THIS ADVERSED REPORT IS APPROVED

BY:

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

ADVERSED BY  
CITY COUNCIL

SEP 07 2004

## ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 8/31/04

CHAIR: H. L. Williams

Joyce M. Shepherd

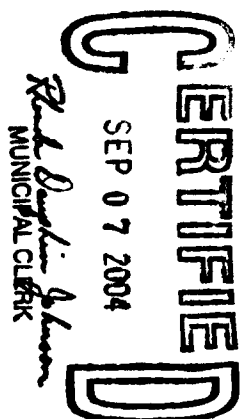
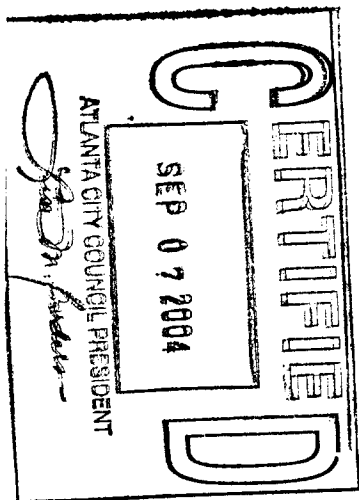
Nancy Greenwood

C. F. Mann

Harold Shum

Carla Smith

James H. Hargrave



DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0845

Date: August 17, 2004

Claimant /Victim MANOJ MAJMUNDAR

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 2380 Metropolitan Parkway Atlanta, Georgia 30315

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 745.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 10/21/03 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) \_\_\_\_\_

Date of Occurrence 08/24/03 Place: 2380 Metropolitan Parkway

Department Police Services Bureau: \_\_\_\_\_ Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that she sustained damages to her property when an unknown driver refused to stop for police and struck her fence at 2380 Metropolitan Parkway. The City of Atlanta is not responsible for the criminal actions of third parties.

INVESTIGATION:

Statements: City employee X Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

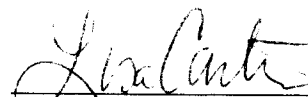
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 08/19/04

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

Prave  
Carter  
10/24/03

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 10/15/03

Dear Municipal Clerk:

ENTERED - 10-27-03 - SB  
03L0845 - LISA CARTER

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 590.00 property and/or \$                      bodily injury for which I contend the City is liable.

1. Date of incident: 8/24/03 (month/day/ year) 2. Time of Incident: 5 AM 3. Police called: ✓ Yes No case # 032350493.
4. Location of incident (including street address): Town & Country motel Inc. 2380 METROPOLITAN PKY. ATLANTA GA 30315
5. Name of your insurance company: SCOTTSDALE INSURANCE CO. Policy No. CPS0516743.
6. State what and how incident occurred: City of Atlanta Police Dept had a room to reduce the crime activity on Aug 24th 03. At that time city police officer was chasing someone and damage to the gate fence and the fence front the property
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle:                      (Make)                      (Year)                      (Tag Number)                      (Driver's Name)

City vehicle:                      (Make)                      (City Driver's Name)                      (Department/Bureau)

9. Witness:                      (Name)                      (Address)                      (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. Claims must be received within 6 months of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Mingins Jr. Travon  
Signature of Claimant

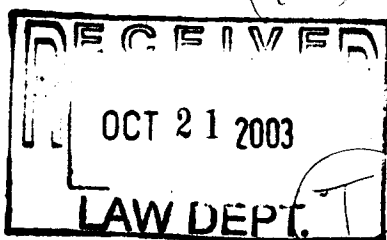
MANOJ MAYMUNDAR  
(Print Claimant's Name)

2380 METROPOLITAN PKY.  
(Address)

ATLANTA, GA, 30315.  
(City, State and Zip Code)

404-1767-2654. 404-767-2654.  
(Work Number) (Home Number)

Ms  
Craine  
404-624  
0674





## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

September 15, 2004

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Manoj Majmundar  
2380 Metropolitan Parkway  
Atlanta, Georgia 30315

04-R-1538

Dear Ms. Majmundar:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 07, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department